

### REMARKS

The present application contains claims 1-31.

Applicant has amended independent claims 1, 5, 12, 14, 17, 20, 21, 26, 30 and 31, and dependent claims 13, 15, 16, 18, 19, 23-25, 27-29 to better define the invention and to further clarify the wording. Support for the amendment of the claims can be found, for example, between page 8, line 26 and page 9, line 4; on page 11, lines 1-20; and between page 14, line 2 and page 15, line 30. Applicant submits the amendment to the claims is fully supported by the application as originally filed. No new matter has been introduced by way of the amendment.

The Examiner rejected claims 1-10, and 12-31 under U.S.C. 102 (e) as being anticipated by Balasubramaniam, (U.S. Patent No. 6,701,441B1), hereinafter referred to as Balasubramaniam.

Applicant respectfully requests reconsideration and withdrawal of this objection in view of the amendments made herein and the following comments.

Applicant submits that the present invention, as claimed by the amended claims, are directed to an application provision system having a server resident process providing a requested application to a client; and a client-server functionality, specifically a platform independent executable program, more specifically a Java applet, that is delivered to the client, the client-server functionality communicating with the server resident process through a communication pipe, and interacting directly with an operating system resident on the client; the communication pipe being part of the communication link.

As discussed on page 14, starting line 7:

The ability of Java applet 420 to access files, on behalf of CGI 410, within operating system 406 of client 402 is not a standard functionality provided for by either a server resident process or operating system 406 of client 402. This access requires that secure browser hosted processes (Java Applet 420 in the current embodiment) and a communication "pipe" 424 be established between CGI 410 and operating system 406. Pipe 424 is often in place for communications from CGI 410 to operating system 406 of client 402 but it is seldom in place to facilitate communications from operating system 406

of client 402 to CGI 410. [...]

[...] Using Microsoft Java extensions Java applet 420 is able to directly access operating system 406 using resources provided through JDirect, the current browser to operating system gateway mechanism appropriate for Microsoft operating systems.

[...] At step 606 the standard Sun Java virtual machine determines the nature of local operating system 406. At step 608 the Sun Java virtual machine requests a native executable from originating server 404. Server 404 returns the native executable to the Java virtual machine via stream communications at step 610. This native executable is an operating system specific executable that is capable of determining: a) if an instance of an application 212 is installed on the client system; and b) what version of the application is installed. Java applet 420 then writes the native executable to local non-volatile storage, which in the current embodiment is a hard disk, at step 612. Java applet 420 directly accesses resources of operating system 406 via the Java Native Interface (JNI) through this native executable, at step 614.

Applicant submits that Balasubramaniam does not teach or suggest the establishment of a communication pipe between the server resident process, specifically the CGI, and the operating system of the client for direct interaction between the operating system of the client and the server, whereby the communication pipe is part of a communication link.

Applicant therefore submits that amended claims 1, 5, 12, 14, 17, 20, 21, 26, 30 and 31, are novel in view of Balasubramaniam.

Applicant submits that claims 2-4, 6-10, 13, 15-16, 18-19, 22-25, 27-29 are dependent to the amended claim 1, 5, 12, 14, 17, 20, 21, 26, 30 and 31, and inherit all the features claimed in the independent claims from which they depend.

The Examiner further rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Balasubramaniam and in view of Mikurak (US Patent No. 6,606,744), hereinafter referred as Mikurak.

Applicant respectfully requests reconsideration and withdrawal of this objection in view of the amendments made herein and the following comments.

As discussed above, Applicant submits that the present invention, as claimed by the amended claim 5, is directed to an application provision system having a server

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resident process providing a requested application to a client; and a file including a platform independent executable program that is delivered to the client, the client-server functionality communicating with the server resident process through a communication pipe, and interacting directly with an operating system resident on the client; the communication pipe being part of the communication link.

Applicant submits that that Balasubramaniam neither teaches nor suggests the establishment of a communication pipe between the server resident process, specifically the CGI, and the operating system of the client for direct interaction between the operating system of the client and the server, whereby the communication pipe is part of a communication link.

Hence, Applicant submits that one skilled in the art, in the light of the state of the art as described in Balasubramaniam, and Mikurak which teaches the concept of using more than one server, would not have the motivation to combine the two references and come to the claimed subject matter, since the combination will not teach the client-server functionality communicating with the server resident process through a communication pipe, and interacting directly with an operating system resident on the client; the communication pipe being part of the communication link.

Hence, it is respectfully submitted that claim 11 is new and unobvious in view of the cited references. Applicant respectfully requests the Examiner to withdraw the rejection.

Applicant has amended the disclosure page 9 to correct clerical errors.

Applicant has amended the disclosure on page 14, line 11 to recite '[...] and a communication 'pipe' 424 within the communication link 422 [...]'. Support for the amendment can be found, for example, in the originally filed Figure 4.

Applicant has amended the disclosure on page 14, line 19 and on page 15, line 8 to recite 'communication pipe 424'. Support for the amendment can be found, for example, in the originally filed Figure 4, and on page 14 at lines 11, and 12.

Applicant respectfully requests reconsideration of this application, based on the foregoing amendments and remarks.

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Respectfully submitted,

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